

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Implementation of State and Local Governments')	WT Docket No. 19-250
Obligation to Approve Certain Wireless Facility)	RM-11849
Modification Requests Under Section 6409(a) of)	
the Spectrum Act of 2012)	
)	
Accelerating Wireline Broadband Deployment by)	WC Docket No. 17-84
Removing Barriers to Infrastructure Investment)	

ORDER GRANTING MOTION FOR EXTENSION OF TIME

Adopted: November 8, 2019

Released: November 8, 2019

Reply Comment Date: November 20, 2019

By the Chiefs, Wireless Telecommunications Bureau and Wireline Competition Bureau:

1. In this Order, the Wireless Telecommunications Bureau (WTB) and the Wireline Competition Bureau (WCB) (collectively, Bureaus) grant in part a motion filed by the National League of Cities and a number of local governments and associations representing local governments (collectively, NLC et al.) seeking an extension of time to file reply comments in the above-captioned proceedings.¹ For the reasons stated below, we find that a seven day extension of time is warranted, and we extend the deadline to file reply comments to November 20, 2019.

¹ Motion for Extension of Time to File Reply Comments, National League of Cities; the United States Conference of Mayors; the National Association of Telecommunications Officers and Advisors; the National Association of Counties; Clark County, Nevada; Cobb County, Georgia; Howard County, Maryland; Montgomery County, Maryland; the City of Ann Arbor, Michigan; the City of Arlington, Texas; the City of Bellevue, Washington; the City of Boston, Massachusetts; the City of Burlingame, California; the Town of Fairfax, California; the City of Gaithersburg, Maryland; the City of Greenbelt, Maryland; the Town of Hillsborough, California; the City of Kirkland, Washington; the City of Lincoln, Nebraska; the City of Los Angeles, California; the City of Monterey, California; the City of Myrtle Beach, South Carolina; the City of New York, New York; the City of Omaha, Nebraska; the City of Portland, Oregon; the City of San Bruno, California; the Michigan Coalition to Protect Public Rights-of-Way; the Texas Municipal League; the Texas Coalition of Cities for Utility Issues; City of Beaverton, Oregon; City of Carlsbad, California; City of Cerritos, California; City of Coronado, California; Town of Danville, California; City of Encinitas, California; City of La Mesa, California; City of Lawndale, California; League of Oregon Cities; League of California Cities; City of Napa, California; City of Oxnard, California; City of Pleasanton, California; City of Rancho Palos Verdes, California; City of Richmond, California; Town of San Anselmo, California; City of San Diego, California; City of San Marcos, California; City of San Ramon, California; City of Santa Cruz, California; City of Santa Monica, California; City of Solana Beach California; City of South Lake Tahoe, California; City of Thousand Oaks, California; City of Boulder, Colorado; Town of Breckenridge, Colorado; Colorado Communications and Utility Alliance; King County, Washington; City of Lacey, Washington; City of Olympia, Washington; City of Tacoma, Washington; Thurston County, Washington; and City of Tumwater, Washington (filed November 4, 2019) (NLC et al. Motion).

2. On September 13, 2019, the Bureaus issued a Public Notice seeking comment on a Petition for Rulemaking and a Petition for Declaratory Ruling filed by the Wireless Infrastructure Association (WIA) and a Petition for Declaratory Ruling filed by CTIA—The Wireless Association (CTIA).² The Public Notice established comment and reply comment filing dates of October 15 and October 30, 2019, respectively. Organizations representing utilities and local government associations subsequently filed separate motions requesting that the comment deadline be extended to November 14 and that the reply comment deadline be extended to December 16, 2019.³ In an Order released on September 30, 2019, the Bureaus granted a 14-day extension of time, which made the deadlines for comments and reply comments October 29 and November 13, respectively.⁴

3. On November 4, 2019, NLC et al. filed a motion that requested another extension for filing reply comments, this time for 21 days to December 4, 2019.⁵ The motion argues that the November 13 deadline for reply comments does not provide local governments with enough time to respond to the volume of material and technical content of the material filed in the record, or to industry claims of misconduct by local communities.⁶

4. The Commission does not routinely grant motions for extension of time.⁷ In this instance, however, given the volume of comments and the complexity of issues, we find there is good cause to grant a limited extension of time to file reply comments. We believe an additional seven days should provide sufficient time for parties to analyze the issues raised in the petitions and meaningfully address them. Moreover, if additional relevant information becomes available after the close of the comment period, parties may submit such information on an ex parte basis in these permit-but-disclose proceedings. We therefore grant the motion in part and establish a new reply comment deadline of November 20, 2019.

5. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 4(j), 5, and 303(r) of the Communications Act, as amended, 47 U.S.C. §§ 154(i), 154(j), 155, and 303(r), and sections 0.91, 0.131, 0.291, 0.331, 1.2, and 1.46 of the Commission's rules, 47 CFR §§ 0.91, 0.131, 0.291, 0.331, 1.2, and 1.46, that the Motion for Extension of Time filed by NLC et al. on November 4, 2019, IS GRANTED IN PART.

² *Wireless Telecommunications Bureau and Wireline Competition Bureau Seek Comment on WIA Petition for Rulemaking, WIA Petition for Declaratory Ruling and CTIA Petition for Declaratory Ruling*, WT Docket No. 19-250, WC Docket No. 17-84, RM-11849, Public Notice, DA 19-913 (released Sept. 13, 2019).

³ See Edison Electric Institute, National Rural Electric Cooperative Association and Utilities Technology Council, Motion for Extension of Time (filed Sept. 19, 2019); National League of Cities, National Association of Counties, National League of Cities, U.S. Conference of Mayors and National Association of Telecommunications Officers and Advisors, Motion for Extension of Time (filed Sept. 24, 2019).

⁴ *Wireless Telecommunications Bureau and Wireline Competition Bureau Seek Comment on WIA Petition for Rulemaking, WIA Petition for Declaratory Ruling and CTIA Petition for Declaratory Ruling*, WT Docket No. 19-250, WC Docket No. 17-84, RM-11849, Order Granting Extension of Time, DA 19-978 (released Sept. 30, 2019).

⁵ NLC et al. Motion at 3-6. On November 7, 2019, the Edison Electric Institute (EEI), the National Rural Electric Cooperative Association (NRECA), and the Utility Technology Council (UTC) filed a letter in support of the NLC et al. motion. See Letter from Aryeh Fishman, EEI, Bret Kilbourne, UTC, and Brian O'Hara, NRECA to Marlene Dortch, Secretary, Federal Communications Commission (filed Nov. 7, 2019).

⁶ NLC et al. Motion at 3-6.

⁷ 47 CFR § 1.46(a).

6. IT IS FURTHER ORDERED that the date for filing reply comments IS EXTENDED to November 20, 2019.

FEDERAL COMMUNICATIONS COMMISSION

Donald K. Stockdale, Chief
Wireless Telecommunications Bureau

Kris A. Monteith, Chief
Wireline Competition Bureau